

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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CLARENCE GOURDINE,

Plaintiff,

vs

9:03-CV-1048

C. LaCROIX; R. DOLING, Commissioner Hearing  
Officer; and DONALD SELSKY, Director of Special  
Housing,

Defendants.

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APPEARANCES:

OF COUNSEL:

CLARENCE GOURDINE  
86-A-1724  
Southport Correctional Facility  
P.O. Box 2000  
Pine City, NY 14871

HON. ELIOT SPITZER  
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State of New York  
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The Capitol  
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GERALD J. ROCK, ESQ.  
Asst. Attorney General

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Plaintiff, Clarence Gourdine, brought this civil rights action pursuant to 42 U.S.C. § 1983. By Report-Recommendation dated March 16, 2006, the Honorable Randolph F. Treece, United States Magistrate Judge, recommended that the motion for summary judgment be granted and the entire complaint be dismissed. No objections to the Report-Recommendation have been filed.

Based upon a careful review of the entire file and the recommendations of Magistrate Judge Treece, the Report-Recommendation is accepted and adopted in its entirety. See 28 U.S.C. 636(b)(1).

Accordingly, it is

ORDERED that

1. The motion for summary judgment is GRANTED;
2. The complaint is DISMISSED; and
3. The Clerk is directed to enter judgment accordingly.

IT IS SO ORDERED.

Dated: October 12, 2006  
Utica, New York.

  
United States District Judge